

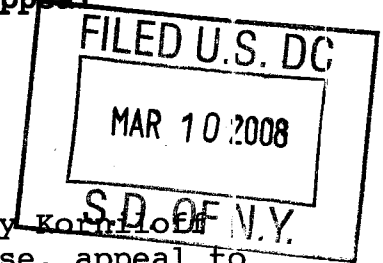
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**UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF NEW YORK**

-----X
Louis Diaz, Gregory Korniloff, and :
Jack Toal, on their own behalf and :
as representatives of the Class, :
:
Plaintiffs, :
:
v. :
:
NBC Universal, Inc., :
:
Defendant. :
-----X

Civil Action No. 08-cv-00401(CM)

Notice of Appeal



Notice is hereby given that Louis Diaz, Gregory Korniloff and Jack Toal, plaintiffs in the above captioned case, appeal to the United States Court of Appeals for the Second Circuit from the Decision and Order granting defendant's motion to dismiss the complaint and denying plaintiffs' application for injunctive relief, entered in this action on February 14, 2008.

Dated: New York, New York
March 10, 2008

Respectfully submitted,

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CAREY & ASSOCIATES LLC

By:
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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
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AFFIDAVIT OF SERVICE

State of New York)
County of New York) ss.:

Michael Q. Carey, being duly sworn, deposes and says:

1. I am not a party to the action, am over the age of eighteen and reside in New York County.

2. On March 10, 2008, I served by e-mail a Notice of Appeal, dated March 10, 2008, upon the named counsel for defendant, at the following e-mail address:

Robert Balin, Esq.: Robbalin@DWT.com, and
Kelli Sager, Esq.: kellisager@dwtd.com.

Dated: March 10, 2008



Michael Q. CAREY
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Attorneys for Plaintiffs

Sworn to before me this 10th
day of March 2008



NOTARY PUBLIC

MARY ANN CRISALLI
NOTARY PUBLIC, State of New York
No. 24-4905366
Qualified in Kings County
Commission Expires September 24, 2009